

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

**SAFECLICK, LLC**, an Iowa limited liability company,  
  
Plaintiff /  
Counterclaim Defendant,

vs.

VISA INTERNATIONAL SERVICE  
ASSOCIATION, a Delaware corporation, and  
VISA USA, INC., a Delaware corporation,  
  
Defendants /  
Counterclaim Plaintiffs

) Case No. C03-05865 SBA  
)  
) **JOINT MOTION AND ORDER RE  
SUPPLEMENTAL SUMMARY  
JUDGMENT BRIEFING**  
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1 Plaintiff Safeclick, LLC ("Safeclick") and Defendants Visa International Service Association  
2 and Visa USA, Inc. (collectively, "Visa") hereby file this Joint Motion Re Supplemental Summary  
3 Judgment Briefing.

4 WHEREAS, Visa filed its motion for summary judgment of noninfringement on July 19,  
5 2005, before discovery was completed;

6 WHEREAS, between the filing of Visa's summary judgment motion and the close of  
7 discovery, Visa produced a large number of responsive documents (*see* Joint Motion to Amend Case  
8 Management Order and Amended Case Management Order, dated October 13, 2005, attached as  
9 Exhibit A hereto);

10 WHEREAS, on August 19, 2005, Safeclick deposed James Reno, who testified as the  
11 corporate representative of Arcot Systems, Inc., which Safeclick alleges was a co-developer with  
12 Visa of the 3-D Secure Protocol used in Verified by Visa;

13 WHEREAS, on October 24, 2005, Safeclick deposed Tony Lewis, a former Visa International  
14 employee who worked on the development of the 3-D Secure protocol specification;

15 WHEREAS, Safeclick contends that Visa's reply brief raised new arguments that were not  
16 presented in Visa's opening brief; and

17 WHEREAS, in light of the new discovery and to address these other issues, the parties wish  
18 to file short supplemental briefs on Visa's pending summary judgment motion, set for hearing on  
19 December 13, 2005;

20 IT IS STIPULATED among the parties to this action, by and through their counsel, that:

21 (1) Safeclick may file and serve a supplemental summary judgment opposition brief, not to  
22 exceed 10 pages, and supporting evidence, copies of which accompany this joint motion; and

23 (2) Visa may file and serve a supplemental brief, not to exceed 10 pages, and supporting  
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1 evidence, on or before November 22, 2005.

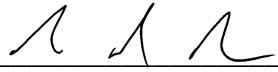
2 November 8, 2005

Respectfully submitted,

3 BARTLIT BECK HERMAN  
4 PALENCHAR & SCOTT LLP

5 and

6 HARVEY SISKIND JACOBS LLP

7 By:   
8 Adam K. Mortara

9 Attorneys for Plaintiff/  
10 Counterclaim Defendant  
11 SAFECLICK, LLC


12 HELLER EHRMAN LLP

13 By: /s/  
14 Christine Saunders Haskett

15 Attorneys for Defendants Visa U.S.A. Inc. and  
16 Visa International Service Association

17 IT IS SO ORDERED.

18 Dated: 11/14/05

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20 SAUNDRA BROWN ARMSTRONG  
21 UNITED STATES DISTRICT JUDGE  
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